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8 UNITED STATES DISTRICT COURT
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10 FOR THE CENTRAL DISTRICT OF CALIFORNIA
11 WESTERN DIVISION

12 XIANYI BAI,

13 Plaintiff,

14 v.

15 ALEJANDRO N. MAYORKAS,
16 Homeland Security Secretary,

17 Defendant,

18 No.2:23-cv-6614-PA-AS

19 **ORDER DISMISSING CASE**

20
21 Honorable Percy Anderson
22 United States District Judge

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Having read and considered the Joint Stipulation to Dismiss the Case submitted by the parties, and finding good cause therefor,

IT IS HEREBY ORDERED that:

1. The instant action shall be dismissed without prejudice;
2. USCIS shall interview Plaintiff, Xianyi Bai September 12, 2024, at 7:45 a.m. at the Los Angeles Asylum Office in Tustin, California. USCIS intends to conduct the interview on the date set, however, the parties understand that due to unexpected staffing limitations or other unforeseen circumstances that may arise, USCIS reserves its right to cancel and reschedule the interview. Should rescheduling be necessary, the interview will be rescheduled within four (4) weeks of the original interview date, absent unforeseen or exceptional circumstances;
3. Plaintiff agrees to attend the interview on the date listed above, absent unforeseen or exceptional circumstances;
4. If needed, Plaintiff agrees to only make one (1) interview reschedule request and to notify the Los Angeles Asylum Office of the reschedule request, in writing, prior to the scheduled interview date. Plaintiff may email the reschedule request to LosAngelesAsylum@uscis.dhs.gov;
5. If multiple reschedule requests are made by Plaintiff, USCIS may place the asylum application back into the Los Angeles Asylum Office's general interview scheduling priorities. *See* <https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/affirmative-asylum-interview-scheduling>;
6. Plaintiff understands that additional interview(s) may be required by USCIS as part of the asylum interview process and the adjudication of the application;
7. USCIS agrees to diligently work towards completing adjudication of the asylum application within 120 days of completion of Plaintiff's asylum

interview, absent unforeseen or exceptional circumstances that would require additional time to complete adjudication;

8. In the event that USCIS does not complete adjudication of the asylum application within 120 days of the completion of the asylum interview, Plaintiff may refile this action;
9. Plaintiff agrees to submit all supplemental documents and evidence, if any, to USCIS prior to the agreed upon scheduled interview based on the following timelines. Plaintiff may email any supplemental documents to LosAngelesAsylum@uscis.dhs.gov at least seven (7) calendar days before the interview. Alternatively, Plaintiff may mail the supplemental documents to the Los Angeles Asylum Office, P.O. Box 2003, Tustin, CA 92781-2003, postmarked no later than ten (10) calendar days prior to the scheduled asylum interview. Plaintiff recognizes that failure to submit these documents in a timely manner may result in the interview being rescheduled at no fault of USCIS;
10. Each party agrees to bear it's the party's own litigation costs, expenses, and attorney fees.

Dated: October 2, 2023

PERCY ANDERSON
UNITED STATES DISTRICT JUDGE